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11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**
14

15 United States of America,

16 Plaintiff,

17 v.

18 Matthew Smith,

19 Defendant.

Case No. 2:20-mj-00123-DJA

ORDER to continue
preliminary hearing

20 The parties jointly request that this Court vacate the preliminary hearing
21 scheduled for October 13, 2020, and continue it for at least 60 days because:

- 22 1. The change of plea in this case is currently scheduled for October 9,
23 2020. However, the parties are requesting a continuance of that
24 date due to Smith's illness with COVID-19.
- 25 2. This continuance is necessary to allow the change of plea to be
26 rescheduled.
3. Denial of this continuance would prejudice the defense and the
government and would unnecessarily consume this Court's valuable
resources.

- 1 4. Mr. Smith is in custody and agrees to the continuance.
- 2 5. Mr. Smith also consents to extending the time within which a
- 3 preliminary hearing must be held under Federal Rule of Criminal
- 4 Procedure 5.1(c) and the time within which an indictment must be
- 5 filed under 18 U.S.C. § 3161.

6 DATED: October 8, 2020.

7 Rene L. Valladares
8 Federal Public Defender

Nicholas A. Trutanich
United States Attorney

9 /s/ *Erin Gettel*
10 By _____
11 Erin Gettel
12 Assistant Federal Public Defender

 /s/ *Travis Leverett*
By _____
Travis Leverett
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 United States of America,

5 Plaintiff,

6 v.

7 Matthew Smith,

8 Defendant.
9

Case No. 2:20-mj-00123-DJA

**Order granting sixth
stipulation to continue
preliminary hearing**

10 Based on the stipulation of counsel, the Court finds that good cause exists to
11 continue the preliminary hearing currently scheduled for October 13, 2020, for at
12 least 60 days. The additional time is to allow the change of plea to be rescheduled
13 and not for purposes of delay. Mr. Smith is in custody and agrees to the
14 continuance, and he consents to extending the time within which a preliminary
15 hearing must be held under Federal Rule of Criminal Procedure 5.1(c) and the
16 time within which an indictment must be filed under 18 U.S.C. § 3161.
17 Accordingly,

18 IT IS HEREBY ORDERED that the preliminary hearing currently
19 scheduled for October 13, 2020, at 4:00 p.m. is VACATED and RESET to
20 December 14, 2020, at 4:00 p.m. Courtroom 4A.

21 DATED this ^{9th} day of October, 2020.



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24 Daniel J. Albregts
25 United States Magistrate Judge
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